FINANCES OF COLUMBIA. PRESIDENT LOW REPORTS AN ENGR-

WOUS DEET AND ANNUAL DEFICIT. Shown by His Annual Report-Threatened

Intailment of Educational Facilities. A letter received by THE SUN a few days ago asks public attention to the recent manageand present condition of the affairs of Columbia University, an enterprise of sufficient magnitude and general importance to make its magnitude of failure, after its long association with this city, of interest to New York. Inquiry having shown that facts supply the basis of the chief armignments made in the letter, it is

per published without signature:

To the time come when the public should know he trible condition to which Columbia University has been brought during the administration of President Seth Low? Not only was had great law teacher, Prof. Dwight, driven rom Columbia to die of a broken heart, but housends of deliars of income were sacrificed and the sympathy of the bar and bench identical in a crade and highly theoretical strength of "reform instruction in law."

The college has been steadily discriminated gainst for ten years, and as a result the great soly of its alumni, a powerful force in this city and viently, are ankry and in opposition. Mileons have been spent for libraries, laboratories, cymnasiums, and sidewalks, but the old cologic tist has made Columbia University possion is still without any distinctive building kinever. This is resented by the professors will as by the students.

whatever. The is presented by the professors as well as by the students.

More serious and alarming is the financial condition of the corporation. The recent expansion is seen now to have been a pure speculation, conducted at the expense of the educational work of the university. The new buildings are imposing and commodious, but they are not paid for. Moreover, there is no way of paying for them except by diverting funds hereforce used, and intended to be used, to apply in a for the except by diverting funds hereforce used, and intended to be used, to apply in a for the except by diverting funds hereforces of annual expenditures over income not counting the heavy interest charge) is between \$30,000 and \$40,000. A child can predict what must soon happen: either bank-rupter or a cutting down of educational facilities and opportunities.

Is not this a most discreditable alternative? Alwady it is rumored that those professors who are unwilling or unable to "pass the hat"

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sady it is rumored that those professors
to are unwilling or unable to "pass the hat"
their sa aries among their friends are to
ve their salaries largely reduced. Other prossars, veterans in the service of Columbia,
a threatened with dismissal. One who, like
e writer, has friends among the members of
leaulty, can easily learn for himself of the
prest, uncertainty, and doubt that prevail
roughout the institution.

hout the institution, word. Columbia's apparent prosperity is , and the day of reckoning for the reck-travagance of the past few years is approaching. To meet that day of ing will be President Soth Low's valuable legacy to his successor. A few years ago Columbia had a surplus. It

is her annual deficit and heavy indebtedness now, in contrast to that condition, that has bred dissatisfaction among some of the alumni, particularly some of the old Columbia College men, who see their Alma Mater neglected and are unable to find, in the outlay acstruction as a whole commensurate with the heavy burden which threatens bankruptey or the curtailment of educational facilities. The reporter found that even among alumni unwilling to oppose themselves affirmatively to the university administration, because of to the university administration, because of apparent disinclination to encourage discord, there is a little more than willingness, if a little less than easerness, to have the condition of the institution and the conduct of the administration ventilated, for the general good that might ensue.

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"Opinions may differ as to the wisdom of a large investment; let each express his own," said one alumnus.

"I should welcome a discussion of this matter," another said, "although I have nothing to say myself against the course taken by Mr. Low and the trustees. I understand that, although Dean Von Amringe regrets not having a college hall among the new buildings, he is content to bide the time in the expectancy that such a building will come eventually."

The chief support of the administration was found among those identified with the Law behool, which, started in 1892, Is wholly a preduct of President Low's incumbency. The law School faculty was consulted in the preparation of the plans for the library building, where the school is quartered and where its wants have been so far forestailed that there is a smoking room for its especial benefit. Law School representatives, however, begged to refer to the President and trustees any questions regarding the financial problems confronting the university. The trustees' clerk, in the trustees' office at 33 Wall street, refused, on behalf of his employers, he said, to give The Sun a copy of the President's or Treasurer's annual report or any information concerning the finances of the lastitution. John B. Pine, Secretary of the board, when first seen, declared falsely that the letter printed above, of which the linquirer rold him, was written in The Sun's correspondent, when first seen, declared falsely that the letter printed above, of which the linquirer rold him, was written in The Sun's correspondent only generally referred to. The figures supplied by President Low, and in the Treasurer's statement—it is not a report, emphasize the correspondent's moderation. They show the university's indebtedness to be nearer \$4.900.000 than \$5.000.000, and Mr. Low's own words picture a depressing down-grade movement for the institution which he found in presperity, unless within fliva years the people of New York by their munificence prevent the contingency.

ngeney. In June 30, 1808, the net debt against the On June 30, 1858, the net deet against the wiste," the President's report says, "was a fle less than \$3,750,000. At 4 per cent, the terest account against this debt is \$150,000, it problem is to meet this interest charge than cutting down the expenditures now assurely incurred in maintaining our educa-

mal work.

Of the ways of meeting this problem, Mr. We ways on page 56. The university can pay I be debt, without difficulty and veithout distinction, only when it also to carry the interest account without areing upon its endowments. If the income endowments is to be used to pay interest, is a clucational opportunities must be with-

hold."
On page 58, speaking of ways of raising funds, be says: "It may not be easy to secure money specifically for the payment of the debt, but it ought not to be difficult to secure * endurement for many parts of our work which opens so widely to the sympathies of people believested in citication."

The italies are not Mr. Low's, and are intend-merely to point the inference which the

consists so widely to the sympathies of people interested in education."

The statics are not Mr. Low's, and are intended mercy to point the inference which the words of the two paragraphs, taken together, innort as to the ultimate use of endowments, which gain of the two paragraphs, taken together, innort as to the ultimate use of endowments, which is must be withheld if the lineome of endowments is to be used to pay interest, and if the "university can pay off its dobt without disadvantage to its work of education only when it is able to carry the interest without drawing upon its endowments."

After speaking, on page 50, of the alternative under which the educational facilities must be withheld in says: "It is not to be believed that the generous people of New York will permit it to come to this."

This is in Mr. Low's report for the college year ending with last June, the report being assued in October last. In the Treasurer's statement, accompanying it, among the items of current expenses," provided out of the general funds of the corporation," and including ministration and "buildings and grounds," leades many more, the only item of interest said during the year is \$6,011.80 on "account of extensions at the College of Physicians and Surveons" and "account of Philolexian prize fund." So far as a laying it saids to discover from the figures either in the Treasurer's statement or the Iresident sreport, the \$150,000 annual interest clarks mentioned by Mr. Low seems to be included under the general heading, "Morning-skelling har for a court of Educational Receipts and Disbursements for the Year Ending Provided On the General Funds of the Carriers and Islandary Provided For by Receipts For Designated Purfaces;" Morning-site Heights: Total Cost, with Intial Improvements, "Other Outlays Provided For by Receipts For Designated Funds of Speak Provided For by Receipts For Designated Funds of Speak Provided For by Receipts For Designated Funds of Speak Provided For by Receipts For Designated Funds of Speak Provided F

The Sun's correspondent put the annual effects the running expenses of the university at her were \$30,000 and \$40,000. In the lefter that the running expenses of the university at her were \$30,000 and \$40,000. In the lefter that the statement the entry is made, before a statement the entry is made, before a statement the entry is made, before a statement expenses amounting is \$20,000. In the available receives to left \$44. This was for the statement in expenses amounting the statement in expenses this year, it is said at least the statement in expenses this year, it is said at least the statement in expenses this year, it is said at least the statement in expenses the year, it is said at least the statement in expenses the particular and a statement in expenses the inappreciable and a deficit of the frustees is costing about for any the collections are not wanting, according to the frustees is casting about for all the frustees is casting about for all the frustees in the writer of the elements it was the known but what, if any technical in the frusteen is known but what, if any technical in the frusteen is known but what, if any technical casting and the known but what, if any technical casting and the statement is known but what, if any technical casting and the statement is known but what, if any technical casting and the statement is known but what, if any or at between \$30,000 and \$40,000. In the figures is statement the entry is made, by the entry is made, the surple grounds set off and beautify the buildings, the says. It only remains to overtake the transfer of the entry is made in extendance is such that it is said at the entry is made as short as nossible the period during which the further expansion of the university must be held in either. It is said at the further expansion of the university must be held in either the source are imappreciable and a selection at the source are imappreciable and a station without mechanical aids, whereas it has the administration or the Finance Constitution without mechanical aids, whereas it impossible in some of the schences to get on at all invaders without mechanical aids, whereas it impossible in some of the schences to get on at all invaders without mechanical aids, whereas it impossible in some of the schences to get on at all invaders without mechanical aids, whereas it is impossible in some of the schences to get on at all invaders without mechanical aids, whereas it is impossible in some of the schences to get on at all invaders without and apparatus; therefore the necessity of using an anapparatus; therefore the necessity of using an anapparatus; therefore the necessity of using the law. He added that the carrent section without mechanical aids, whereas it impossible in some of the schences to get on at all invaders without the contract for the contractors.

Two efforts to see Mr. Low were without altitude the employed on the new building after the adversal and a subject to a contractors. The delegates declared that the contractors and the without mechanical and subject to were not violating that the adversal and a subject to a contractor with the contr

penses exceeding income by several thousands of dollars. A boy can figure the result, unless comething is done. It's a case of cut expenses or a broken business, fan't it? And if expenses are to be reduced, it's a question of where to reduce them and continue the efficiency of the business.

are to be reduced, it's a question of where to reduce them and continue the efficiency of the business."

Although President Low makes known in his report his willingness to confer with any one who may be moved to make a gift to the university, his confidence that the Christmas spirit will actuate the community to Columbia's immediate benefit is not strongly expressed.

The income from endowments is not likely soon to increase," he says. But he looks to a source of income that, by common report, has never paid any institution of the kind, the fees of students. "During the last six years," he goes on to say, 'the income of the university from fees has increased \$112,000, or at the rate of \$18,500 per annum. It does not seem to be an unreasonable expectation that, with the greater privileges offered at the new site, the increase of fees will average from this time on \$20,000 per annum. " "If the number of students in attendance grows, as it must grow, to produce such an increase of fees, some part of the increase must he kept available for the appointment of additional instructors in the fle'ds aiready occupied. It is estimated that one-mail of the actual increase will suffice for this purpose, and therefore that the sum of \$10,000 may be assumed annually on account of interest as a charge against current income. If this expectation is borne out, by the end of five years the current income will be carrying \$50,000 of the interest account. If no help were to come from other sources in the interval, there would still remain, then, about \$100,000 of interest to be annually provided for until it could all be taken care of by the growth of the university."

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were to come from other sources in the interval, there would still remain, then, about \$100,000 of Interest to be annually provided for until it could all be taken care of by the growth of the university."

Mr. Low says that every effort must be made during these five years to care for this item in other ways. He avers, however, that "the amount still to be paid by the President on account of the library assures the university five years within which to overtake it sobligations." A remark which brings to attention the fact that Mr. Low's \$1,000,000 gift for a library building was not a \$1,000,000 gift really, so far as the university is concerned, since the university realizes only labout three-quariers of that sum, having to pay interest on the amount that was borrowed on the strength of Mr. Low's promise to give the \$1,000,000 each. Last vear he gave \$125,000. But if, as Mr. Low's words last above quoted would seem to imply, his \$600,000 or \$700,000 of paymonts for the next five years are to go toward the liquidation of the \$150,000 annual interest charge upon the university's heavy debt, it would appear that he will not have given a \$1,000,000 library, but will have left the institution upon the completion of his payments, saddled with the debt for the construction of the building, for which the trustees horrowed money on his promises to pay the face of the loan. Very likely there may be some other explanation of the President's intent, but it is not apparent in the presentation of conditions embodied in his report and the accompanying statement of the Treasurer, although in the Treasurer's statement Mr. Low's payment of last year is entered under the head of "receipts for permanent purposes," and Mr. Low says in another place that he has made himself responsible for the full cost of the library building, which has reached about \$1,100,000 instead of \$1,000,000.

It is often said of large entsprises, and particularly building operations, that conditions which the promoters could not be expected to forces hav

or the land. Some minor credits reduce the cost to the university by \$22,89.85, and in a \$100,000 incidentals debit is included \$23,000 held against "unforseen expenses that may or may not be incurred," but the cost of the whole is still well toward the \$7,000,000 mark, with present indebtedness about 54 per cent. of the net cost.

The schedule of trust funds included in the Treasurer's statement shows holdings under this head amounting to nearly \$1,000,000.

Although behind in income available for current expenses, Columbia gave away last year more than the amount of the deficit. "I think it is not at all appreciated," Mr. Low says, "how large a sum is annually appropriated by Columbia for fellowships and scholarships or waived in free tuition. The total amount of such grants this year was \$58,688."

Among the things desired, for which the university has no money, Mr. Low mentions a charel, and deplores such a lack at a consecrated institution. Speaking of the opening exercises at the new site, he says: "The usual chapel service was held in the reading room of the library, thus consecrating the university, at its very heart, in the service of God, to the service of man in the discovery and dissemination of truth." And further on: "A suitable place upon the grounds has been set aside for this purpose, but the university has no funds with which to build a chapel. It is greatly to be hoped that some one who understands how necessary a chapel is as a centre for the religious life of the university will be moved to erect one for us at no distant day."

"It is a pleasure to be able to say, after a year's use, that it is evident no serious mistake has been made in the planning and equipment of the buildings," he says; and he mentions as "a pleasant feature of the year" the "occasions known as Columbia University Teas."

The President of Columbia has devoted himself with some assiduity to a project to bring

The President of Columbia has devoted himself with some assiduty to a project to bring some other educational institutions under the dominance of his university direction. He expresses felicitations upon the closer union established between Teachers' College and the university during the year. Although by the terms of the agreement the Teachers' College rustees continue to be responsible for the financial management of that college. The President of the university becomes exofflicio the President of Teachers' College. By reason of that union the university has been able to enter into certain friendly relations with the Brocklyn Institute. Of Arts and Sciences, and the President now desires closer relations with Barnard College, these relations until now having been very vague. He says ipage 15 of the report): "I think the time has come to embody them in a formal agreement. "" I think that the time has come to embody them in a formal agreement. "" I think that the time has come to embody them in a formal agreement. "" I think that the time has come of any additional sections in the work of Columbia College. In other words, I think Barnard College hereafter, instead of making its arrangements with individual teachers, should pay the trustees of Columbia College in a supplementations of the instruction needed in Barnard College. "" "Such a system "" would cause Barnard College to become, in return for what it gets, a source of strength to the university. "It has become evident," the President says, "that the demand for Columbia graduates as professors and teachers is growing in all parts of the country. To give direction to this demand an Appointment Committee has been authorized by the University Council, whose business it is to recommend proper men for places for which we are asked to make nominations, and to secure positions, when possible, for men who might not otherwise become aware of the opportunity."

Considering the brand of "sociology" taught in Columbia, it is interesting to note, in passing, the record Teas."
The President of Columbia has devoted him-self with some assiduity to a project to bring

100 books per year "lost" from the library during the past fourteen years, 220 were books on that "science."

On the subject of the college, the original foundation, which according to the correspondent has been not neglected, but discriminated against, and which has in fact been relegated to one of the old buildings on the Bloomingdale grounds, Mr. Low's report asys that the number of students in attendance upon the college was greater than ever before in the history of the college, and, "on the whole, the work of the college during the year has been most satisfactory, and its future seems to be full of promise. I wish that some alumnus, or other friend, would give a building that might be the permanent home of the college." He adds: "The office of the denn is located, with the departments of Greek, Latin and mathematics, in one of the old buildings that were upon the site when it was purchased. The building is well lighted, and, so far as it goes, is pleasant enough, but it is wholly inadequate for the accommodation of the college, and at best meets the needs of the situation in a partial and temporary way."

President Low has a scheme for easing the burden his administration has placed upon the university if he can induce our friends to lend us money on the leands of the university at 3 per cent." He says: "The bonds of the university are good beyond a peradventure, being protected, apart from other assets, by real estate alone which produces an income more than twice as great as the interest on the debt. If satisfactory arrangements could be made to fund the debt into bonds bearing 3 per cent. interest the problem would lose much of its difficulty, for this would reduce the interest account at once to a figure that could be rather easily taken agrea."

It would make the annual interest charge on the presont indebtedness \$112,500, instead of

account at once to a narre that could be rather easily taken care of."

It would make the annual interest charge on the present indebtedness \$112,500, instead of \$150,000.

The President, in the end, speaks of the ornate settings in which he has placed the in-

ADMINISTERS A LIVELY THRASHING TO A SUPPOSED RIVAL

Company's Offices When the Rawhide's Swish Was Heard-Victim Says He's Innocent, but Won't Do Anything About It. Three long red cuts, two on his face and one on the back of his neck, bear illuminated witness to an encounter which George Nicholls, a

Exciting Moments in the Putnam Novelty

draughteman for the Putnam Novelty Company, at 10 Murray street, had yesterday with an irate lover. The lover, who was James Higgins, a bicycle rider and maker of Jersey City, suspected Nicholls of having paid too much attention to Miss Mary Greens of 49 Caton avenue, Jersey City. Miss Greens is employed at the Novelty Company's offices, and is engaged to be married to Higgins. According to Higgins, Miss Greene com-plained to him that Nicholls was annoying her with his attentions. Nicholls says this is ab-

surd, but, at any rate, Higgins was jealous. Friday even ag he dropped into the building at 10 Murray street and found Nicholla and his flancée talking together in the ball on the third floor. He became very angry, upbraided the girl and marched her home to Jersey City. During the night his anger turned against Nicholls. He determined to horsewhip him. and yesterday morning bought a rawhide. A friend to whom he confessed his purpose tried

to take the whip from him, but Higgins would not have it. He went to 10 Murray street about noon and took his stand on the third floor. Nicholis's office is at the top of the buildfloor. Nicholls's office is at the top of the building, but he often has occasion to go to the third floor, where the principal business of the concern is carried on and where a dozen girls, including Miss Greene, work.

In a short time Nicholls came out of his office and walked downstairs. He saw a man near the elevator shaft but did not recognize him. As he passed, Higgins drew his whip from under his coat and brought it down on Nicholls's neck. The draughtsman wheeled about and, swish! the whip landed on his right cheek. Before he could raise his hands he got another cut across the forchead.

Angry red welts rose in response to the lash, and Nicholls roared in pain, anger and surprise. The girls inside heard the rumpus and ran into the hail. They found the two men tangled up, with arms and legs flying about. Nicholls had caught the whip in one hand and was punching at Higgins with the other. Higgins was trying to get the whip loose and doing some punching himself.

In the struggle the men fell down on the floor. The girls all screamed, and one of them started for a policeman. As she couldn't find one, she returned to find the men brushing off their clothes. Higgins was abusing Nicholls for courting his girl, and Nicholls was trying to explain that he had never done anything of the kind. Miss Greene was in a corner, looking scared and white. Higgins wouldn't be persuaded, but went away at last, taking his whip with him. Miss Greene soon followed him.

At his office in the afternoon Nicholls explained that Higgins had misinterpreted his actions.

Tve spoken to Miss Greene, he said, "just ing, but he often has occasion to go to the third

actions.

"I've spoken to Miss Greene." he said. "just as I have to all the girls employed here, but that Is all. I've never seen her alone anywhere. Why, I'm a married man. It's pretty tough to be horsewhipped every time you speak to a pretty girl, but I shan't do anything about it. I don't want any notoriety."

MOTT GOING TO NAIL A LIE. Has a Charge of Perjury Made to Probe

Eugene Lindsay, a waiter in an Eighth avenue resort known as the Vigilant Hotel, was arraigned before Magistrate Mott in the Jefferson Market Police Court yesterday, charged with violating the Liquor Tax law. Detectives Rosenberg and Buessier of the Central Office swore that they found the resort at 2 o'clock yesterday morning full of men and wo men who were smoking and drinking and that they had no difficulty in obtaining whiskey, which Lindsay served to them. "What have you to say to these charges?

"They are not true," was the answer,
"What? Will you say that these two police men lie-both of them?" "That's what they are doing," the prisoner almly replied. "I did not sell them any liquor."
"Are you willing to swear to that?"

the Court asked the prisoner.

"Are you whome to the prisoner and he took the oath without hesitation. He then, after being warned by the Court as to their meaning of perjury, repeated his statement that he had not sold liquor to the detectives. Magistrate Mott then called Chief Clerk Demarest to had not sold liquor to the detectives. Diskin-trate Mott then called Chief Clerk Demarest to his side.

"Take a complaint of perjury against this man," he said. "Either the policemen or the prisoner must be guilty of perjury, and I will see that the matter is prosecuted until the crime has been located where it belongs."

Lindsay was held in \$1,000 bail for trial on the original charge. On the perjury charge he was held in \$2,000 bail for examination on Monday afternoon.

ANOTHER WIRE AND NAIL COMBINE.

Biddles of Philadelphia at the Head of a New Company to Fight the American. PHILADELPHIA, Pa., Feb. 4.—The Merchants' Wire and Nail Company, chartered at Trenton this morning, is a Philadelphia enterprise, organized to compete with the American Wire and Steel Company. Clement N. Biddle, Robert Biddle and William B. Knight are at the head \$200,000 is paid in, and is distributed in shares of \$1,000 each, all of which have been subscribed in amounts of less than \$2,500. The company will issue \$500,000 of 7 per cent. preferred stock to pay for manufacturing plants.

ferred stock to pay for manufacturing plants. The main office of the concern will be in this city, but there will be branch offices in New York, Newburg, N. X.; Pittsburg, Baltimore, Cleveland, Chicago, East St. Louis, Ashland, Ky.; Pueblo, Col., and Oakland, Cal.

C. N. Biddle says that the stock of the company will not be listed on the Stock Exchange, and that the enterprise is an association to protect those who are in it from the control of their business by the wire and nail trust. The association will erect a dant at Pittsburg, another one in the West and one in the East, at which it is proposed to manufacture one-third of the annual consumption of barbed and common wire and iron nails. The association will admit other manufactures who are dependent on the wire trust for a supply and each stockholder will sell his own goods direct.

SPLIT IN THE DOCK BOARD. The Minority Member Is Mr. Croker's Business Partner, Mr. Meyer.

There is a split in the Tammany Dock Board. Commissioner Peter F. Meyer, who is Richard Croker's business partner, is at odds with President J. Sergeant Cram and Commissioner Charles F. Murphy, who is Treasurer of the board. The trouble, which has been brewing for some time, culminated at the recent election of officers. Mr. Murphy moved that Mr. Cram be reflected President. The motion was lost, as Mr. Meyer voted in the negative and Mr. Cram would In the negative and Mr. Cram would not vote for himself. Mr. Cram then moved that Commissioner Murphy be recliected Treasurer. Mr. Meyer again voted no, but the motion was adopted, as Mr. Cram voted in the affirmative and Commissioner Murphy voted for himself. As matters now stand Mr. Cram is still President of the board and he will hold that office until his successor is elected.

Mr. Cram and Mr. Murphy have been running things to suit themselves, and Mr. Meyer was seldom consulted. The reason for this, it is said, was that while President Cram and Commissioner Murphy gave their entire time to the affairs of the beard, Mr. Meyer devoted most of his attention to his personal business. All three men stand high in the favor of Mr. Croker.

UNION COMPLAINS TO SCANNELL.

Carpenters Say They Are Receiving Less Than Legal Rate of Wages. Delegates of the United Brotherhood of Carpenters and Joiners made a complaint to Fire McFeeren, the contractors for the construction of a new engine house at City Is and, were vio-

NOTES OF LEGAL EFENTS

The Boaton Herald Company; was adjudged guilty of contempt by the Superior Court of Massachusetts on Monday jast for having published an account of the proceedings in a trial pending in that tribunal under the headline. "Gallt is Evident." The corporation was fined \$500, and the jury was discharged and a new trial ordered. This could properly have been done only on the theory that the publication was intended to influence the action of the jury and thus interfere with the orderly administration of justice; but the language of Judge bond, by whom the fine was imposed, indicates that he thought that the purpose of the publishers was not to affect the determination of the jury, but rather to induce persons to buy the Boston Herald, "by a kind of de-ception which has been practiced by the showbill effort which has come into use to sell the papers, putting in some headline to lead people to think there was something very different in the article from that which really is there." If the Judge was right in the view thus expressed it is difficult to justify the adudication in contempt or the imposition of the fine. The gravamen of the offence of contempt of court, as committed by means of newspaper publications, is the intent to influ ence the administration of justice by ecnsiderations outside the evidence adduced in court.

A medico-legal inquiry of much interest relates to the mental condition and responsibil-ity of Vacher, the so-called Shepherd Slaughtrer, who was recently executed by the guillotine in Paris. He had murdered eighteen persons, nearly all of whom were lads or young girls, and the bodies of all his victims were mutilated in a characteristic manner. In early life Vacher was the inmate of an insane asylum for a short time, and he carried a bulful attempt at suicide by reason of unrequited ve. In the opinion of many neurologists, his crimes were due to morbid impulses grow ing out of the diseased condition produced by the presence of this bullet. On the other hand, the official experts appointed to examine him, one of whom was the professor of forensic medicine in the college at Lyons declared to escape punishment for his crimes, and the ury by whom Vacher was tried evidently took the same view. Immediately after his decapitation a post-mortem examination was made, but no abnormal conditions were found in the skull, not even in the place where the bullet was imbedded. It is stated, however, that slight adhesions of the meninges have been discovered as the result of a later examination of the brain. The weight of expert opinion in France appears to uphold the conclusion of the judicial tribunals that Vacher was same.

The Supreme Court of Illinois has recently decided that a promissory note which is in terms payable at the death of the maker is valit as a note, and is not to be regarded as a testamentary paper or a will in such a sense as to require that it be executed with the formali ties prescribed by the statute of wills. This proposition is sustained by cases in Alabama, Connecticut, Massachusetts and New York, The leading authority on the question in this State is Carnwright vs. Gray (127 New York Reports, 92), in which the opinion was written by Judge Charles F. Brown of the Second Division of the Court of Appeals. This decision was approved and followed by the other division of the same court in Hegeman vs. Moon (131 New York Reports, 402), Judge Rufus W. Peckham writing the opinion.

A notable litigation arising out of the Tilden will case has just been finally disposed of by the Court of Appeals. It will be remembered that the will of Gov. Tilden was contested by George H. Tilden, his nephew, who was ultimately successful in having a portion of the instrument adjudged invalid. To carry on the contest, George H. Tilden obtained advances of more than \$20,000, through the instrumentality of Mr. Robert D. Buchanan, the husband of an adopted daughter of Moses Y. Tilden, Gov. Tilden's brother. In consideration of Mr. Buchanan's agreement to procure such advances, George H. Tilden agreed in writing that he would and did "become|responsible for the pay-ment to Mrs. Adelaide E. T. Buchanan, or her order, of the sum of \$50,000," Mrs. Buchanan brought suit to recover this amount and a verdict was directed in her favor. The Appellate Division of this department reversed the judgment and ordered a new trial, Mr. Justice Ingraham dissonting. The question upon which the case turned was thus formulated by Judge Ingraham: "Where a husband renders valuable services and stipulates with the person to whom the same are rendered that compensation therefor shall be made not to him but to his wife, is the wife entitled to enforce paydid not join in the agreement and that there was no promise made directly to her, is an ac-curate statement of the question presented." Mrs. Buchanan, naturally dissatisfied with the negative answer of the Appellate Division, apof it. The capital stock is \$500,000, of which | pealed to the Court of Appeals and that tribunal has now answered the question affirmatively and restored the original judgment in her favor. This result was reached, however, by a majority of one only, the vote of the Judges standing four to three.

The resignation of Surrogate Arnold was the natural outcome of the disclosures concerning the condition of the business in his office. The excellent professional reputation which Mr. Arnold has so long enjoyed makes this cielineholy end of his judicial career all the more surprising. In the selection of his surcessor, the element of vigorous health should he considered in order to secure a Surrogate who will be physically able to do the work of the office in due season. To this end the appointment of a young man would be preferable to that of a man past middle age, all other qualifications being equal. In the case of a judicial officer messessing so much patronage as does the Surrogate the only guarantee against favoritism must be the character of the incumbent. The weekly or monthly publication in the City Record of all the fees awarded in the Surrogate's Court, together with the names of the recipients, would enable the bar and the community always to know just how the office was being adminia-

tered in this respect. The opinion of the Court of Appeals affirming the conviction of Mrs. Martha Pince of Brooklyn, who smothered her stepdaughter to geath, is published in the pamphlet number of the Combined Official Series of Law Reports for Feb. 4, 1839). Judge Martin's re view of the case shows that the trial was fairly and ably conducted by Judge Hurd of the County Court of Kings county. The most serious point presented by the appeal was the propriety of allowing Arr. Place to be asked this question: "Since the fall of 1894, what has been the general feeling, as you have ob served it, between Mrs. Place and your daughter Ida? Mr Place answered: "Seemed to be a general feeling of malice and hatred toward my daughter, denying her many priv fleges, denying her atl home comforts." No grounds were stated by the defendant's counsel for his objection to the question, and the witness supplemented his general answer by giving specific details of acts, conversations and declarations by Mrs. Place showing hos tillity toward Ida. Under these circumstances Commissioner Scannell yesterday that Ryan & the court holds that no substantial rights of the defendant were prejudiced by permitting

> The successor of Sir Henry Hawkins in the Justice in England is Mr. Thomas Townsend Bucknill, Q. C., who has been a Conservative member of Parliament for the Ersom division of Surrey since 1-602. The new Judge was born in 1845, was called to the bar in 1848 born in 1845, was called to the bar in 1895, and became a Queen's counsel in 1885. In the latter year he was also appointed liceorater of Exeter. His practice of inte years has been ensely in the Admiralty Court. His isotraft in the 1 actions from Area shows him to be a man or line appearance, and that is usual states that the appearance and that is usual states that the appearance and that is usual states that the appearance and that is usual at the last of the appearance and that is usual at the last of the appearance and that is usual at the last of the appearance and that is usual at the last of the last of the last of the last of Lords.

the first question to be asked and answered.

MARINE INTELLIGENCE.

MINIATURE ALMANAO-TRIS DAY, Sun rises.... 7 05 | Sun sets.. 5 28 | Moon rises. 2 49 HIGH WATER-THIS DAY. Sandy Hook. 2 15 | Gov.Isl'd. 2 47 | Hell Gate. 4 40 Arrived-SATURDAY, Feb. 4. 8s Edam, Devries, Amsterdam Jan. 19 and Bou-Schilder, Southampton Jan. 10 and Hall-

Na Palatia, Reessing, Hamburg Jan. 22.

Na Palatia, Reessing, Hamburg Jan. 22.

Na Nawiyo, Yosa, Rio Janeiro.

Na Trinidad, Fraser, Bermuda.

Na Turnet Duuri, Marchasen, Prograso.

Na Saliran, Owen, St. Michaela.

Na Marina, Owen, St. Michaela.

Na Marina, Owen, St. Michaela.

Na Marina, Owen, St. Michaela.

Na Santian de Cuba, Achurra, Matanzas.

Na Yucatan, Robertson, Havana.

Na Yucatan, Robertson, Havana.

Na Uller, Jarsen, Demersra.

Na Westhall, Morgan, Shields.

Na Kanawha, Evana, Ponce.

Se Old Dominion, Tapley, Richmond. [For later arrivals see First Page.]

Sa Campania, from New York, at Liverpool Sa Pheuicia, from New York, at Hamburg. Sa Advance, from New York, at Colon. SAILED FROM FORMOM PORTS,
Se Paris, from Southampton for New York,
rs La Bretagne, from Havre for New York,
Se Etruria, from Liverpool for New York,
Se Scottish Prince, from St. Lucia for New York,

SAILED FROM DOMESTIC PORTS

Sa Seminole, from Jacksonville for New York. Sa Colorado, from Brunswick for New York.

OUTGOING STRAMSSUPS. Allianca, Colon... Iroquois, Charleston . Algiers, New Orleans . Sail Wednesday, Feb. 8. St. Louis, Southampton... 7 90 A M
Majestic, Liverpool... 9 90 A M
Westernland, Antwerp... 10 30 A M
Concho, Havana... 1 90 P M
Troja, Progresc... 1 00 P M
Trinidad, Bermuda... 8 90 A M
Colorado, Galveston... Sail Thursday, Feb. 9. Spartan Prince, Azores.... Ormiston, Glasgow..... INCOMING STEAMSHIPS.

Due To-Day.

Condor......Manila.....Gibraltar... Adria Red Jacket. Enrope Hower La Champagne Polycarp Eastern Prince Dur Monday, Feb. 6. ...Gibraltar... ...Gibraltar. Due Tuesday, Feb. 7. Fuerat Bismarck ... Gibraltar. Kansas City . Due Wednesday, Feb. 8. aureldene.... Hull St. Lucia New Orleans. St. Lucia

Business Aotices.

Germanic Liverpool Leona Galventon Due Fridau, Feb. 10.

Rheumatism and Gout cured in every case since 1861. FAMOUS PRESCRIPTION 100,884, Always safe and reliable. 75c. bot. MULLER'S PHARMACY, 74 University place, New York.

Due Thursday, Feb. 9.

Carl H. Schultz, 440 1st Av., N. Y. Pure and correct mineral waters, manufactured from histilled water and CHEMICALLY PURE SALTS. Not to Know the Lafayette Place Baths (near 4th st.) is equal to not knowing New York city. Open day and night.

MARRIED

CUSHING-PITTMAN.-At St. Thomas's Chapel, New York, Jan. 29, 1866, by the Rev. W. H. Pott, Ethel Pittman to Thomas J. Cushing of New

DIMIN.

BEACH .- At West New Brighton, Staten Island, N. V., Peb. 3, 1899, Eleanor A. Beach, widow of George B. Beach. Funeral services at the residence of her son-in-law, Charles L. Bubbell, Taylor st., West New Brigh-

ton, Staten Island, N. Y., on 6th inst., 10 A. M. Chicago papers please copy. BENEDICT .- At Orange, N. J., on Saturday, Feb.

4. 1809, anddenly, of apoplexy, Charles H. Funeral at 2 P. M. on Tuesday, Feb. 7, at Danbury, Conn., from the residence of his brother

EDOUIN .- Suddenly, of pneumonia, at the Hotel Audubon, Broadway and 89th st., on Feb. 4. Alice Atherton, beloved wife of Willie Edouin Funeral services on Tuesday, Feb. 6, at 10:30 A. M., at the Little Church Around the Corner

GARLOCK .- At Glen Ridge, N. J., on Saturday. b. 4, 1899, George F. Garlock in the 42d year of his age. Funeral services at his home in Glen Ridge on Monday, Feb. 6, on the arrival of the 4:20 P. M.

train, Delaware, Lackawanna and Western Railroad, from foot of Barelsy st., New York. Interment private. AMBERT.-On Saturday, Feb. 4, Mrs. Mary J., widow of Thomas S. Lambert, M. D. Services Monday evening, Feb. 6, at 8 o'clock, at

281 Clifton place, Brooklyn. MATHEWS. -On Friday, Feb. 3, Poyntz Mathews son of Agnes and A. H. Mathews, in the 2d year of his age.

MEAFOY. -On Thursday, Feb. 2, James L. Meafor, in his 65th year. Foneral from late residence, 72 1st place, Sunday, Feb. 5, at 4 P. M. Interment at Middle town, N. Y. Please omit flowers,

WEBSTER. -On Peb. S. Margaret I. H. Webster. relict of George W. Webster, M. D., aged 75 East woth st., on Monday at 2 P. M. Interment

in Greenwood. Baltimore papers please copy. VILLIS.-On Friday, Feb. 8, Edmund Aylburton Willis A. Van Willis, artist), in the Dist year of Funeral services at his late residence, 19 Mo-Donough st., Brooklyn, at 1:80 P. M. on Monday,

THE STEPHEN MERRITT BURIAL CO., 241-243 West 23d st., New York, undertakers, embalmers and funeral directors; prompt service day and night. Telephone 14-18th at. THE RENSICO CEMETERY.—Private station, Har-lem Railroad: 43 mituates ride from the Grand Central Depot. Office, 16 East 42d st.

Special Motices.

EMACIATION arrested and weight increased.

New Scientific method, without medicine; temperature lowers, cough lessens, expectoration ceases, limits heal. For particulars, address

AMERICAN INSTITUTE, Harrison, New York. ELLCTRIC and Hot Springs boths; hours S.A. PILES. -Dr. Chapman, 107 East 28d. No cutting.

Religious Aotices.

TEMPLE EMANUEL, 5th av. and 48d st. Sun-standard of Right and Wrong." All we come. Standard of Rental Strong And Western Strong Control Follows at 11:20 A. M., at Carnege Music Majorier 57th at and 7th av Lecture by Mr. M. Mangascian, Subject, "The Meaning of Follows." All interested are invited. Sanday school prior A. M., at the West School.

Bleu Publications.

THE TRUTH SEEKER STORE. Is the price to get all FREED HORES. NEW YORK.

It has been to get all FREED HORES ample copies of ThU in exchange and arthur Merker, started to grow the ice. They broke through when they reached the channel. Baker and Arthur Merker, started to cross the ice. They broke through when they reached the channel. Baker and Arthur Merker, started to cross the ice. They broke through when they reached the channel. Baker and Arthur Merker started to cross the ice. They broke through when they reached the channel. Baker and Arthur Merker started to cross the ice. They broke through when they reached the channel. Baker and Arthur Merker, started to cross the ice. They broke through when they reached the channel. Baker and Arthur Merker, started to cross the ice. They broke through when they reached the channel. Baker and Arthur Merker, started to cross the ice. They broke through when they reached the channel. Baker and Arthur Merker, started to cross the ice. They broke through when they reached the channel. Baker and Arthur Merker, started to cross the ice. They broke through when they reached the channel. Baker and Arthur Merker, started to cross the ice. They broke through when they reached the channel. Baker and Arthur Merker swam is a subject to the control of the channel. Baker and Arthur Merker swam is a subject to the control of the channel. Baker and Arthur Merker swam is a subject to the control of the channel of the chan

Stern Bros Stern Bros

Cloak Dep'ts Ladies'

An Importation of

Lyons Fancy

Printed Satin

in exclusive designs

And in addition will offer

In very desirable colorings

And another shipment of

Changeable Taffetas,

1800 Yds. Imported

Mohair Sicilian

Mixed Cheviots

Particularly adapted for

Value \$1.50

To-morrow, Monday

on their Third Floor

Much Below Regular Prices

Very Special Values

Satin Portieres, at \$7.75

Formerly \$11.25 pr.

Sponged and Shrunk

Black All-wool,

Grenadines

48 inches wide.

3000 Yds.

English Black

50 inches wide.

1,200 Yds.

54 inches wide.

Tallor made and

Irish

Point

Curtains,

Ruffled

Muslin

and edge.

Curtains

with lace insertions

Irish Point

Bed Sets.

Imported

Bicycle Costumes

Iron Frame

In choice shades.

together with

1800 Yds.

Extra Quality

Pekin Taffetas.

Foulard Silks

Liberty and Merveilleux

will place on sale

To-morrow

Golf Capes \$8.00 of double-faced materials. \$9.75 suitable for travelling street \$11.50

\$9.50 Of Imported and Domestic Rugs with handsome plaid backs. In the newest designs,

or evening wear.

\$13.75

Exceptional Values in Ladies' House Gowns of Cashmere

at \$3.95, \$5.90.

Real Value \$5.75 to \$10.50

of India Silks. elaborately trimmed with lace and ribbon, at Real value, \$12.50

later styles of

Ladies' Shirt Waists of Imported Zephyrs, Oxfords

Piques, Percales and Lawns And in addition will offer a large collection of White Tucked

and Hemstitched

at 89c Lawn Waists.

To-morrow Special Sale of

40 Axminsters at \$14.75 9x12 feet Value \$20.00

140 Fine Carabaghs and Shirvans,

Value \$12.50

at \$9.00 Tapestry Portieres \$3.75 Formerly \$6.25 pr.

West 23d St. West 23d St.

Fancy Cottons.

Embroidered Mulls, Stripe Batiste, Printed Dimities, White and Colored Piqué, Fancy Tuckings.

Zephyrs.

" David & John Anderson's" Celebrated Fabrics unrivalled for durability and wear.

Broadway & 19th Street.

TO BRING OUR DEAD HERE.

The transport Roumanian, which sailed yesterday for San Juan, Ponce, and Santiago, has aboard 500 metal-lined coffins, twelve underakers, twelve assistants, and gravediggers and laborers. The expedition is in charge of David H. Rhodes, Inspector of National Geme teries, and will disinter the bodies of our sol-diers buried in Cuba and Porto Rico. Some of the force will land at Porto Rico and the rest at Santiago. The bodies will be placed in the coffins and brought to the United States on transports.

Heavy Fines for Brooklyn Policemen. The Police Commissioners did their best esterday to make up for the shortage of Brooklyn on pension money when they came into the greater city by fining the Brooklyn policemen, collecting ninety days' pay for the breaking of rules. The money, over \$ 00.

oces to the pension fund. Doorman Charles W. Sprague of Liberty avenue was fined twenty days nay for drinking so as to be unfit for duty and leaving his work without permission. Fatroiman Frank Weserie of the Grand street squad was muched in thirty days for maingering and disobeying orders, and Patroiman James E. McLaughlin of Fulton street got forty days for shirking generally. Iwo Boys Risk Their Lives to Save Another BRIDGEPORT, Conn., Feb. 4 .- Albert Higgins, 14 years old, was drowned in Berkshire Mill Grover Baker and Arthur Merker, started to

The Transport Roumanian Sails on Her Sad Horner's Furniture.

> ADVANTAGES IN BUYING IT. By patronizing our establishment

you will reap a double benefitfirstly in the merit of the articles, and secondly in paying the lowest possible price at which such highclass goods can be made and sold. Z Another important advantage is that our assortments in all lines are

fully double to any shown elsewhere. Throughout our warerooms will be found many articles marked down to

make room for incoming goods. R. J. HORNER & CO., Furniture Makers and Importers,

61, 63, 65 West 23d Street. Adjoining Eden Musee.

Smallpox Epidemic in Arkansas. LITTLE BOOK, Ark., Feb. 4. Smallpox is still raging in Fulton and the adjoining counties tioy. Jones issued a proclamation to-day declaring the disease enderme in that section the Legis attre will pass a bill on Moniny as propriating \$5,000 to be used by the Star Board of Health in suppressing the disease.